

1 JESSE S. HERNANDEZ (Bar No. 92708)  
jsh@amclaw.com  
2 VANESSA H. WIDENER (Bar No. 203967)  
vhw@amclaw.com  
3 JENNIFER S. MUSE (Bar No. 211779)  
jsm@amclaw.com  
4 ANDERSON, MCPHARLIN & CONNERS LLP  
Thirty-First Floor  
5 444 South Flower Street  
Los Angeles, California 90071-2901  
6 TELEPHONE: (213) 688-0080 ♦ FACSIMILE: (213) 622-7594

7 Attorneys for Plaintiff FDIC, as  
conservator of INDYMAC FEDERAL BANK,  
8 F.S.B.

9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA

11 INDYMAC BANK, F.S.B., Case No. CV 07-1914 R (MANx)  
12 Plaintiff,  
13 vs.  
14 GENEVA MORTGAGE CORP.,  
15 Defendant.

**PARTIAL SUMMARY JUDGMENT**

Trial Date: February 3, 2009

17 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

18 This action came on for hearing on December 8, 2008, before  
19 the Honorable Manuel L. Real, District Court Judge Presiding, on  
20 a Motion for Partial Summary Judgment. The evidence presented  
21 having been fully considered, the issues having been duly heard  
22 and decisions having been duly rendered,

23 **IT IS ORDERED AND ADJUDGED** that defendant GENEVA MORTGAGE  
24 CORPORATION ("GENEVA") breached the terms of the contract between  
25 GENEVA and plaintiff FEDERAL DEPOSIT INSURANCE CORPORATION, as  
26 conservator for INDYMAC FEDERAL BANK, F.S.B. ("INDYMAC") as it  
27 relates to the fourteen (14) mortgage loans sold to INDYMAC and  
28 identified in INDYMAC's Motion for Partial Summary Judgment as

1 the Archer I and II Loans, Clarke I and II Loans, Frasile Loan,  
2 Laluisa I and II Loans, Perez Loan, Pratt I and II Loans, Puckett  
3 Loan, Reyes Loan, Rivera I and II Loans. As a result, partial  
4 summary judgment in the amount of **\$2,352,255.42** is awarded  
5 against GENEVA, plus interest, attorneys' fees and costs, and  
6 said award shall be included in any judgment rendered in this  
7 case.

8

9 DATED: December 30, 2008



10  
11 The Hon. Manuel L. Real  
12 U.S. District Court Judge,  
13 Central District of California

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of  
4 California. I am over the age of eighteen years and not a  
5 party to the within action; my business address is Thirty-  
First Floor, 444 South Flower Street, Los Angeles,  
California 90071-2901.

6 On December 17, 2008, I served the following document(s)  
7 described as **[PROPOSED] PARTIAL SUMMARY JUDGMENT** on the  
interested parties in this action by placing true copies  
thereof enclosed in sealed envelopes addressed as follows:

8 S. Keven Steinberg, Esq. Attorney for  
9 Steinberg Law Offices Defendant, Geneva  
10 11500 West Olympic Blvd., Suite 316 Mortgage  
Los Angeles, CA 90064  
Telephone: (310) 268-0781  
Facsimile: (310) 268-0790

12 Michael H. Golland, Esq. Attorneys for  
13 Rosen Feig Golland & Lunn LLP Defendant, Geneva  
9454 Wilshire Blvd., Suite 850 Mortgage  
Beverly Hills, CA 90212  
Telephone: (310) 275-0562  
Facsimile: (310) 275-0563

16 **BY MAIL:** I am "readily familiar" with Anderson, McPharlin &  
17 Conners' practice for collecting and processing  
correspondence for mailing with the United States Postal  
18 Service. Under that practice, it would be deposited with  
the United States Postal Service that same day in the  
ordinary course of business. Such envelope(s) were placed  
19 for collection and mailing with postage thereon fully  
prepaid at Los Angeles, California, on that same day  
following ordinary business practices.

20 I declare under penalty of perjury under the laws of the  
21 United States of America that the foregoing is true and  
correct and that I am employed in the office of a member of  
22 the bar of this Court at whose direction the service was  
made. Executed on December 17, 2008, at Los Angeles,  
23 California.

24  
25 

---

Crystal S. Hill  
26  
27  
28